

1 XAVIER BECERRA, State Bar No. 118517  
Attorney General of California  
2 MONICA N. ANDERSON, State Bar No. 182970  
Supervising Deputy Attorney General  
3 KELLI M. HAMMOND, State Bar No. 217485  
Deputy Attorney General  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 210-7367  
6 Fax: (916) 324-5205  
E-mail: Kelli.Hammond@doj.ca.gov  
7 *Attorneys for Defendants Pliler, Goughnour,*  
*Rosario, Stiles, and Vance*  
8

9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
11 SACRAMENTO DIVISION

12  
13 **REX CHAPPELL,**

14 Plaintiff,

15 v.

16  
17 **C. K. PLILER, et al.,**

18 Defendants.  
19

Case No. 2:04-cv-1183 TLN DB P

**STIPULATION TO EXTEND TIME FOR  
DEFENDANTS TO FILE THEIR PRETRIAL  
STATEMENT AND OPPOSITION TO THE  
ATTENDANCE OF INCARCERATED  
WITNESSES FOR TRIAL; PROPOSED  
ORDER**

20 **STIPULATION**

21 The parties to this action stipulate, and seek court approval of their stipulation, to modify  
22 the scheduling order to allow Defendants to file a pretrial statement and opposition to the  
23 attendance of incarcerated witnesses for trial no later than November 10, 2017. The stipulation is  
24 necessary because counsel for Defendants is currently assigned full-time to the matter of  
25 *Coleman, et al., v. Brown, et al.*, Case No. 2:90-cv-00522-KJM-KJN.

26 *Coleman, et al., v. Brown, et al.*, is a long-running class action concerning mental-health  
27 care for California state prison inmates, in the remedial stage. A contempt hearing was set for  
28 November 3, 2017, for consideration of findings of contempt and consideration of sanctions for

1 non-compliance with court directives that may have accumulated between May 16, 2017, and the  
2 November hearing. (ECF No. 5610 at 11.) Counsel for Defendants was assigned to assist the  
3 team of attorneys assigned to Coleman to prepare for the November 3, 2017 hearing. On October  
4 23, 2017, the Coleman court vacated the November 3, 2017 hearing date to be rescheduled at a  
5 later date. (ECF No. 5720.) Although the November 3 hearing is off calendar for the time-being,  
6 defendants anticipate that the matter will be re-set and the evidence will need to be presented. As  
7 a result, a November 9, 2017 deadline has been set for completion of the work assigned including  
8 finalizing record reviews and preserving witness testimony so that the *Coleman* defendants are  
9 prepared to proceed when the court places the matter back on its calendar.

10 Accordingly, the parties, through their respective counsel of record, stipulate that the  
11 deadline for Defendants Piler, Rosario, Stiles, Goughnour and Vance to file their pretrial  
12 statement and an opposition to the attendance of incarcerated witnesses for trial shall be extended  
13 to November 10, 2017.

14 **IT IS SO STIPULATED:**

15  
16 Dated: October 27, 2017

/s/ **Matthew Strugar**  
Matthew Strugar  
*Attorney for Plaintiff Rex Chappell*

18  
19 Dated: October 27, 2017

/s/ **Kelli M. Hammond**  
Kelli M. Hammond  
Deputy Attorney General  
*Attorney for Defendants Piler, Goughnour,  
Rosario, Stiles, and Vance*

22  
23 **IT IS SO ORDERED.**

24 DATED: October 30, 2017

25  
26 /s/ **DEBORAH BARNES**  
27 UNITED STATES MAGISTRATE JUDGE